

William A Simpson
Application number 10/780,233

1-7-06

Reply to Office Action Summary

In order to facilitate the comparison of the present invention, application No. 10/780,233, with the Stewart and Reedy patents, the following scenario of (10/780,233) is provided.

In an electrical system such as that of the city of Los Angeles, about 2,000,000 low priority residential and small business services would be equipped with the invention.

Should a transmission line carrying 750 megawatts of power fail, the frequency of the electrical system would drop below 59 ½ cycles. At 59 ½ cycles, all 2,000,000 frequency sensitive switches would open, disconnecting 1,000 megawatts of the load.

The electrical system would remain stable and the generators would quickly return to 60 cycles.

During the emergency disconnecting of the load from the overloaded electrical system, all low priority residential and small business customers would be left with approximately ½ of their circuits still energized.

High priority customers such as high rise buildings and traffic signals would not be affected by the electrical system overload.

After a time delay, to assure the availability of generation, the switches would be closed according to one of the options listed in the specification.

The Reedy patent is concerned with disconnecting generation in a faulted electrical system.

The Stewart patent disconnects a 240 volt circuit. The two 120 volt circuits remain energized.

The object of the Stewart patent is to control the voltage supplied to the 240 volt circuit. This is accomplished by changing the phase angle between the two 120 volt circuits connected to the 240 volt load.

This results in a complex and expensive method of disconnecting the 240 volt load, while the 120 volt load remains intact.

The cost may be prohibitive in an installation of the millions of these devices on a large power grid.

Every low priority residence and small business served by the power grid requires a device for disconnecting the load during an overload emergency.

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William A Simpson

1-7-06

Application number 10/780,233

2

Insert this page following paragraph 2 on page 3 of specification

The frequency sensitive switch will have an opening circuit and a closing circuit.

The options for energizing the closing circuit of the switch appears later in the specification.

The energizing of the opening circuit of the switch would be accomplished by using the same frequency monitoring apparatus that is now used to energize the low frequency alarm in a power system control room.

This consists of a frequency meter with contacts that close at a preset frequency level to complete the closing circuit on the switch.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,233	02/18/2004	William A. Simpson		1472

7590 12/01/2005

William A. Simpson
7241 Yolanda Ave
Reseda, CA 91335

EXAMINER

ROMAN, LUIS ENRIQUE

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/780,233	Applicant(s) SIMPSON, WILLIAM A.	
	Examiner Luis Roman	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Objections

Specification

The disclosure is objected to because of the following informalities: claim 1 recites a means in one of the limitations, which is not explained in the specifications. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Stewart (US 6538343) in view of Reedy (US 6914763).

Regarding to claim 1 Stewart discloses a method of disconnecting electrical load from an overloaded power system grid while maintaining part of the customers electrical circuits energized (col.2 lines 25-28), consisting of the following steps:

a) placing an on/off switch (Fig. 2 elements 62, 64) in either leg of the 240 volt circuit (Fig. 2 elements 78) of the 3 wire Fig. 2 elements 54, 56, 58), center tapped, grounded cable serving said customers (Fig. 2 elements 78, 80, 82, 84, 86, 88, etc.),

c) means (Fig. 2 elements 90) to open said on/off switch (Fig. 2 elements 62, 64), whereby the disconnecting of electrical load from said overloaded power system grid has been accomplished while maintaining part of said customers electrical circuits energized (Fig. 2 elements 50, 90 select the group of switches to open/close to keep the grid at reasonable power values to stay out of the unstable situation).

Stewart does not disclose the method b) providing a frequency meter to monitor the frequency of said power system grid, and to open the switches whenever said frequency meter indicates that the frequency of said overloaded power system grid has dropped to a point at which said overloaded power system grid is in danger of becoming unstable.

Reedy teaches the method b) providing a frequency meter (Fig. 1 elements 22, 23, 24) to monitor the frequency of said power system grid, and to open the switches whenever said frequency meter indicates that the frequency of said overloaded power system grid has dropped to a point at which said overloaded power system grid is in danger of becoming unstable (col.2 lines 41-49).

Art Unit: 2836

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Stewart method/device with the Reedy method/device features because when arise the need for a grid operator to reduce or shutdown a distributed generation unit abruptly, yet in orderly manner, to prevent overloading of lines, over frequency, over voltage, or other conditions which can cause or exacerbate major system disruptions, it is very important to have accurate information about the grid state. This can be accomplished by a close measurement of the frequency in the crucial legs of the grid.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luis E. Román whose telephone number is (571) 272 – 5527. The examiner can normally be reached on Mon – Fri from 7:15 AM to 3:45 PM.

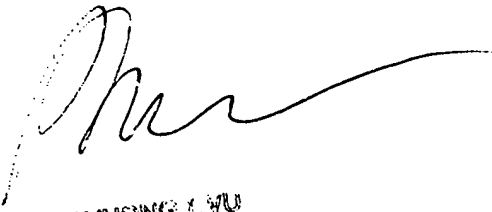
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272-2800 x 36. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from Patent Application Information Retrieval (PAIR) system.

Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Luis E. Román
Patent Examiner
Art Unit 2836

LR/112205



PHUONG X. VU
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 10/780,233	Applicant(s)/Patent Under Reexamination SIMPSON, WILLIAM A.	
	Examiner Luis Roman	Art Unit 2836	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,538,343	03-2003	Stewart, Robert S.	307/38
*	B	US-6,914,763	07-2005	Reedy, Irving	361/64
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

William A Simpson
Application number 10/780,233

July 8, 2006

Reply to Office Action Summary

Mailed: 04 / 17 / 2006

The purpose of (10 / 780, 233) invention is to prevent an overload on a large electrical system grid carrying thousands of megawatts of power.

The purpose of the Stewart patent is to prevent an overload on a customers on-site electrical emergency generators.

The Stewart patent in combination with the Reedy patent could not serve in the first instance.

The (10 / 780 / 233) invention could not serve in the second instance.

The two inventions are different both in their purpose and in their means for achieving their respective Purposes.

The Stewart Reedy Combination would not be functional when applied to Solving the problem of preventing widespread blackouts on a large electrical system grid.

If a Stewart device were installed on each of the millions of low priority residences and small businesses connected to a large electrical system grid, very little power could be disconnected.

This is because Stewart describes a method for disconnecting only the 240 volt circuits in the low priority residences and small businesses.

The vast majority of low priority residences and small businesses do not have easy access to 240 volt power. No 240 volt outlets are generally provided

Thus even though a suitable means could be found for timing the operation of the Stewart device, such as using the frequency of the power system grid, only a small percentage of the total power carried by the grid could be disconnected.

The Stewart device would not disconnect sufficient electrical load from a large overloaded electrical system grid to be effective in preventing a blackout.

The two 120 volt circuits in each low priority residence and small business would remain energized during the overloads.

The Stewart device would leave a large block of 120 volt load. Which was intended to be disconnected from the electrical system grid.

The Reedy device does not monitor the electrical system grid frequency (the elements 22, 23, 24) are control signal transmitters or communication signal generating apparatus.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,233	02/18/2004	William A. Simpson		1472

7590

04/17/2006

William A. Simpson
7241 Yolanda Ave
Reseda, CA 91335

EXAMINER

ROMAN, LUIS ENRIQUE

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/780,233		SIMPSON, WILLIAM A.	
	Examiner		Art Unit	
	Luis Roman		2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
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- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2836

Detailed Action

Applicant amendment filed on 01/12/06 has been entered. Rearrangement of the specification was required. It also included remarks/arguments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Regarding to claim 1 Stewart discloses a method of disconnecting electrical load from an overloaded power system grid while maintaining part of the customers electrical circuits energized (col.2 lines 25-28), consisting of the following steps:

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c) means (Fig. 2 elements 90) to open said on/off switch (Fig. 2 elements 62, 64), whereby the disconnecting of electrical load from said overloaded power system grid has been accomplished while maintaining part of said customers electrical circuits energized (Fig. 2 elements 50, 90 select the group of switches to open/close to keep the grid at reasonable power values to stay out of the unstable situation).

Stewart does not disclose the method b) providing a frequency meter to monitor the frequency of said power system grid, and to open the switches whenever said frequency meter indicates that the frequency of said overloaded power system grid has

Art Unit: 2836

dropped to a point at which said overloaded power system grid is in danger of becoming unstable.

Reedy teaches the method b) providing a frequency meter (Fig. 1 elements 22, 23, 24) to monitor the frequency of said power system grid, and to open the switches whenever said frequency meter indicates that the frequency of said overloaded power system grid has dropped to a point at which said overloaded power system grid is in danger of becoming unstable (col.2 lines 41-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Stewart method/device with the Reedy method/device features because when arise the need for a grid operator to reduce or shutdown a distributed generation unit abruptly, yet in orderly manner, to prevent overloading of lines, over frequency, over voltage, or other conditions which can cause or exacerbate major system disruptions, it is very important to have accurate information about the grid state. This can be accomplished by a close measurement of the frequency in the crucial legs of the grid.

Response to Amendment

The applicant's arguments are not supported by claim language.

Applicant does not overcome the prima facie case of obviousness set for the previous Office Action.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2836

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luis E. Román whose telephone number is (571) 272 – 5527. The examiner can normally be reached on Mon – Fri from 7:15 AM to 3:45 PM.

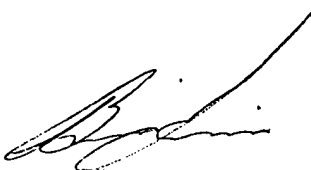
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LR/032606

Luis E. Román
Patent Examiner
Art Unit 2836



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

William A Simpson
Application number 10/780,233

Reply to Advisory Action (mailed 8-9-06)

Continuation Sheet PTO 303

Paragraphs 1, 2, 3, 4

"Very little power" can be defined as the ratio of low priority residences and small businesses with 240 v electrical loads to low priority residences and small businesses with no 240 volt electrical loads.

The Stewart (U.S. 6,538,343) apparatus would not be capable of disconnecting power from all of the low priority residences and small businesses, since many of them have no 240 volt electrical loads.

Paragraph 2.

"Solving the problem of preventing widespread blackouts on a large electrical system grid". This is recited in the rejected claim.

The claim states "A method of disconnecting electrical load from an overloaded power system grid.

Once electrical load has been disconnected from an overloaded power system grid and the power system grid is no longer overloaded, the problem of a widespread blackout has been solved.

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Paragraph 3.

The arguments against the Stewart (U.S. 6,538,343) and Reedy (U.S. 6,914,763) patents individually , is to show that the two patents when used in combination would not function to prevent a blackout on an overloaded power system grid.

Paragraph 4.

Stewart (U.S. 6,538,343) disconnects a 120 volt circuit only if there should occur a fault in that circuit.

The frequency of the power system grid is not monitored by the Reedy (U.S. 6,914,763) apparatus. The frequency is monitored by the power system grid operators.

The frequencies generated by Reedy (U.S. 6,914,763) could not be used to determine when a power system grid was overloaded. These generated frequencies are used to control circuit breakers.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,233	02/18/2004	William A. Simpson		1472

7590 08/09/2006
William A. Simpson
7241 Yolanda Ave
Reseda, CA 91335

EXAMINER

ROMAN, LUIS ENRIQUE

ART UNIT PAPER NUMBER

2836

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/780,233	Applicant(s) SIMPSON, WILLIAM A.	
	Examiner Luis Roman	Art Unit 2836	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

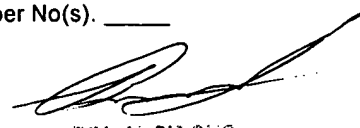
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


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Continuation of 11.

Applicant's arguments filed 07/12/06 have been fully considered but they are not persuasive. Applicant argues that the Stewart device will be able to disconnect very little power in case of an irregularity. This argument is not persuasive since very little power is not a precise measurement.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "solving the problem of preventing widespread blackouts on a large electrical system grid") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Stewart (US 6538343) discloses the operation by disconnecting any of the 240V or 120V power lines if needed. (Col. 5 lines 41-46). Reedy (US 6914763) discloses that in the event of an outage several parameters are monitored where frequency is one of them (Col. 2 lines 41-49). Reedy also discloses generating frequency signals (26, 27, 28) to transmit over the power lines and then monitors them to determine irregularities and take an action (Col. 4 line 27 to Col. 5 line3).